

**REMARKS/ARGUMENTS**

In the Office Action dated January 21, 2009, all the pending claims 1-4 and 6-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2005/0033641 to Jha. With this response, independent claim 22 has been amended, and new dependent claims 24, 25, and 26 have been added. The new claims 24-26 depend from claim 22 and are supported by the specification. Claims 1-4 and 6-26 are pending. No new matter has been added. Further examination and reconsideration of the application are requested.

**The Claimed Invention**

Some of the disclosed embodiments relate to selecting advertisements for presentation to client computers by receiving a request from a client computer for a preexisting document (e.g. a Web page), selecting a first advertisement and a second advertisement in response to identifying a key word of the advertisements that relate to content (e.g. match a word) of the preexisting document, and selecting the advertisement of the two with the greater productivity value to be delivered to the client computer along with the requested preexisting document. For example, claim 1 reads as follows:

1. A method for selecting advertisements for presentation to client computers on a computer network, comprising:
  - (a) having on a server computer a plurality of possible advertisements that may be presented to a client computer and having at least one key word associated with each advertisement;
  - (b) receiving from a client computer a request for delivery from a server of a preexisting document containing words;
  - (c) selecting from the plurality of advertisements a first selected advertisement and a second selected advertisement in response to identifying an associated key word of the respective advertisements that matches a word in the requested preexisting document;

(d) comparing a productivity value associated with the first selected advertisement and a productivity value associated with the second selected advertisement and further selecting the advertisement with the higher productivity value as a further selected advertisement; and

(e) delivering to the client computer the further selected advertisement along with the requested preexisting document in response to the received request.

Other aspects of the disclosed embodiments are the subject of other independent claims. For example, claim 22 as amended recites:

22. A method for selecting content for display at a client computer communicating over a computer network, the method comprising:  
determining a relevance score for content keywords contained in a preexisting document in response to a request received from the client computer for delivery of the preexisting document from a server;  
determining revenue generation potential of the keywords contained in the requested preexisting document from a plurality of candidate stored advertisements;  
generating a productivity score for each of the candidate stored advertisements in accordance with the determined revenue generation potential and the determined relevance score;  
selecting the candidate stored advertisement having the greatest productivity score for delivery with the preexisting document in response to the received request.

That is, all the independent claims share the features of determining relevance of content in a preexisting document to candidate advertisements, determining productivity of the advertisements, and selecting an advertisement for delivery with the preexisting document in

accordance with the productivity. The content relevance may be determined, for example, by comparing keywords of a preexisting document with advertisements, as indicated in claim 1, or the relevance may be determined by an actual relevance score based on the preexisting document, as indicated in claim 22. With respect to the features of claim 22, see, for example, paragraph [013] and [035]-[037] of the specification. The other independent claim, claim 11, also refers to determining a relevance score. All of the independent claims (1, 11, 22) also refer to determining productivity of candidate advertisements, followed by selection of an advertisement in accordance with the productivity. It is asserted that none of the cited references can show or suggest these features.

**The 35 U.S.C. § 102 Rejection Over Jha**

The Office Action stated that Jha shows all the claimed features. In the patent publication, Jha does describe selecting an advertisement to be delivered along with a requested Web page “based on ad parameters” that are extracted from the client computer browser. See Jha at page 8, paragraphs [0134] and [0135]. Nevertheless, none of Jha’s ad parameters relate to determining content relevance of the requested (preexisting) document.

Jha describes that the “ad parameters” might include information about a search query, a network location and a geographic location of the client (requesting) computer, or a URL (see paragraphs [0135] and [0136] of Jha). None of these characteristics relate to content relevance of the preexisting document, such as keywords of the Web page or the like. Such content relevance is recited in claims 1, 11, and 22 of the pending claims, and therefore these claims cannot be anticipated by Jha.

Moreover, Jha has no suggestion of providing these missing features, because although Jha mentions that the “ad parameters” may involve items such as a search query, network geographic location, referral URL, or publisher URL, Jha never mentions determining content relevance, which is referred to in each of the independent claims 1, 11, and 22.

Jha also makes no mention of selecting between advertisement candidates based on the productivity and the content relevance. Claim 1 of the pending application, for example, recites selecting two candidate advertisements on the basis of “identifying an associated key

word of the respective advertisements that [match] a word in the requested preexisting document” and then selecting between the two based on the advertisement with the greater productivity value. Similarly, claim 11 recites generating a productivity score for each of the supplemental content sources (e.g. advertisements) in accordance with the corresponding content valuation and selecting the supplemental content source having the greatest productivity score. Claim 22 recites generating a productivity score for each of the candidate stored advertisements in accordance with the determined revenue generation potential and the determined relevance score, and selecting the candidate stored advertisement having the greatest productivity score.

Jha contains discussion of how to determine relevance of Web pages to a search query, as noted in the Office Action at pages 3-5, but Jha lacks discussion of the claim features, which include: determining supplemental content to be served along with a preexisting document, including content relevance; productivity determination in accordance with the corresponding content valuation; and selecting the supplemental content source having the greatest productivity score.

It is asserted that the independent claims 1, 11, and 22 are not anticipated by Jha for at least the reasons recited above, and it is asserted that the dependent claims 2-4, 6-10, 12-21, and 23-25 are patentable at least for depending from an allowable base claim as described above.

The new dependent claims 24, 25, and 26 relate to features previously recited in other claims, or are described in the specification, or both. For example, claim 24 relates to considering a search query when selecting the content to be returned with a requested preexisting document, and this feature is described at [013], top of page 5 in the specification. Claim 25 relates to advertising types, previously claimed and described at [038]. Claim 26 relates to category types, described at [039].

Thus, it is submitted that all of the pending claims 1-4 and 6-26 are patentable over the cited art and are in condition for allowance.

Appl. No. 10/694,643  
Amdt. dated June 22, 2009  
Reply to Office Action of January 21, 2009

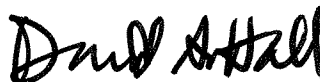
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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



David A. Hall  
Reg. No. 32,233

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 858-350-6100  
Fax: 415-576-0300  
Attachments  
DAH:lm  
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